

House File 620 - Introduced

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BY BENNETT and GAINES

A BILL FOR

1 An Act relating to the dispensing of a refill of a chronic
2 maintenance drug to a patient.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 155A.29, Code 2019, is amended to read
2 as follows:

3 **155A.29 Prescription refills.**

4 1. Except as specified in [subsection 2](#) or [3](#), a prescription
5 for any prescription drug or device which is not a controlled
6 substance shall not be filled or refilled more than eighteen
7 months after the date on which the prescription was issued and
8 a prescription which is authorized to be refilled shall not be
9 refilled more than twelve times.

10 2. A pharmacist may exercise professional judgment by
11 refilling a prescription without prescriber authorization if
12 all of the following are true:

13 a. The pharmacist is unable to contact the prescriber after
14 reasonable ~~effort~~ efforts.

15 b. Failure to refill the prescription might result in
16 an interruption of therapeutic regimen or create patient
17 suffering.

18 c. The pharmacist informs the patient or the patient's
19 representative at the time of dispensing, and the practitioner
20 at the earliest convenience, that prescriber reauthorization
21 is required.

22 ~~3.~~ d. Prescriptions may be refilled once pursuant to this
23 subsection 2 for a period of time reasonably necessary for the
24 pharmacist to secure prescriber authorization.

25 3. a. In addition to the authorization for a pharmacist to
26 refill a prescription without prescriber authorization pursuant
27 to subsection 2, a pharmacist may exercise professional
28 judgment by refilling a prescription for a chronic maintenance
29 drug if all of the following are applicable:

30 (1) The pharmacist is unable, after reasonable efforts, to
31 obtain authorization from the prescriber or another health care
32 provider responsible for the patient's care.

33 (2) In the pharmacist's professional judgment, the refusal
34 to dispense the refill of the chronic maintenance drug will
35 endanger the patient's life or health or will disrupt essential

1 drug therapy for a chronic condition of the patient.

2 b. The pharmacist may dispense an amount of the chronic
3 maintenance drug not to exceed the amount of the most recent
4 prescription or the standard quantity of the drug dispensed.

5 c. The pharmacist shall dispense the chronic maintenance
6 drug refill in accordance with standard procedures and
7 documentation requirements adopted by rule of the board.

8 d. For the purposes of this subsection, "chronic maintenance
9 drug" means a drug, other than a controlled substance, that is
10 prescribed to a patient to be taken on a recurring basis, and
11 is used as a life-saving rescue drug for a chronic condition or
12 is essential to the continuation of drug therapy for a chronic
13 condition.

14 4. An authorization to refill a prescription drug order
15 shall be transmitted to a pharmacy by a prescriber or the
16 prescriber's authorized agent pursuant to [section 155A.27](#),
17 except that prescription drug orders for controlled substances
18 shall be transmitted pursuant to [section 124.308](#), and, if not
19 transmitted directly by the practitioner, shall also include
20 the name and title of the practitioner's agent completing the
21 transmission.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill provides that in addition to existing provisions
26 relating to the refilling of a prescription without prescriber
27 authorization, a pharmacist may exercise professional judgment
28 by refilling a prescription for a chronic maintenance drug
29 if the pharmacist is unable, after reasonable efforts, to
30 obtain authorization from the prescriber or another health care
31 provider responsible for the patient's care; and if in the
32 pharmacist's professional judgment, the refusal to dispense
33 the refill of the chronic maintenance drug will endanger the
34 patient's life or health or will disrupt essential drug therapy
35 for a chronic condition of the patient. The bill authorizes

1 the pharmacist to dispense an amount of the chronic maintenance
2 drug not to exceed the amount of the most recent prescription
3 or the standard quantity of the drug dispensed, and to dispense
4 the chronic maintenance drug refill in accordance with standard
5 procedures and documentation requirements adopted by rules of
6 the board of pharmacy. The bill defines a chronic maintenance
7 drug as a drug, other than a controlled substance, that is
8 prescribed to a patient to be taken on a recurring basis, and
9 is used as a life-saving rescue drug for a chronic condition or
10 is essential to the continuation of drug therapy for a chronic
11 condition.